

methods for the treatment of cancerous cell growth mediated by raf kinase with oxazole ureas wherein B does not have a pyridinyloxy moiety.

The examination of the entire scope of claims would not be a serious burden upon the examiner in that the claimed methods have a common utility and the compounds used in the claimed methods are ureas having a 5 membered heterocyclic group on one side of the urea functionality (A) and an aryl or heteroaryl group on the opposite side of the urea functionality (B). The five membered heterocycles are selected from a limited group identified by chemical structures in claim 1.

Furthermore, an international application corresponding to the parent application has been filed and the entire application was searched. The field of search for this international application will further reduce any search burden.

Claim Objections

There is no basis for the objection to claims 1-4, 9, 11-16, 43 and 46 and the allegation that they are drawn to an improper Markush group. These claims have a common nucleus in defining methods for treating cancerous cell growth mediated by raf kinase.

Claim Rejections, 35 USC §112 (First Paragraph)

Applicants submit that there is adequate disclosure within the specification, accompanied by guidance provided by the examples, for one skilled in the art to make the compounds recited in the claims and use them in accordance with the methods defined, without undue experimentation. No evidence has been presented to the contrary. The burden is on the examiner to show otherwise. *In re Marzocchi*, 439 F.2d 220, 169 U.S.P.Q. 367 (CCPA 1971).

Claim Rejections, 35 USC §112 (Second Paragraph)

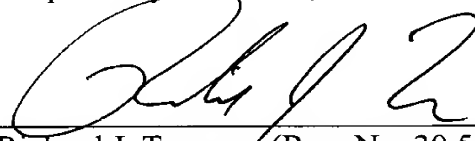
It is alleged the term "heteroaryl" and phrases which contain this term are "so broad as to render the claims meaningless." Broad language is not synonymous with ambiguous language. One skilled in the art would clearly understand the scope and meaning of the term "heteroaryl" and the phrases which contain this term. The examples given on pages 3 and 4 of the specification provide further guidance as to the meaning of this term.

The phrase "cancerous cell growth mediated by raf kinase" serves to define the

cancers using functional language. Those skilled in the art will recognize the cancers encompassed by this phrase. The studies reported in the Background of the Invention on page 1 of the application and the examples given on page 2 of the specification provide further guidance as to the cancers encompassed by this phrase.

Based on the above remarks, Applicants submit the claims are in a form suitable for allowance and that the restriction requirement be withdrawn or at least modified to include all of the structures defined for B.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. J. Traverso', is written over a horizontal line.

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